

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

| | | |
|--------------------------|---|-----------------------------------|
| GEOFFREY CROWTHER | : | Civil Action No. 09-10334-MAP and |
| | : | 09-11467-MAP |
| Plaintiff | : | |
| | : | |
| v. | : | |
| | : | |
| CSX TRANSPORTATION, INC. | : | |
| and | : | |
| CONSOLIDATED RAIL CORP. | : | |
| | : | |
| Defendants | : | |

PLAINTIFF'S VERDICT FORM

1. Do you find that CSX Transportation, Inc. (CSX) was negligent in failing to provide Geoffrey Crowther with a reasonably safe workplace?

Yes _____ No _____

2. Do you find that Consolidated Rail Corporation (Conrail) was negligent in failing to provide Geoffrey Crowther with a reasonably safe workplace?

Yes _____ No _____

[If you have answered "No" to both Question 1 and Question 2, return your verdict; otherwise proceed and answer Question 3 and Question 4 only as to the parties you have found negligent in your answers to Question 1 and Question 2].

3. Do you find that CSX's negligence, in whole or in part, caused and/or contributed to and/or aggravated, worsened and/or exacerbated Geoffrey Crowther's neck and/or bilateral knee and/or left elbow and/or left thumb injuries?

YES _____ NO _____

4. Do you find that Conrail's negligence, in whole or in part, caused and/or contributed to and/or aggravated, worsened and/or exacerbated Geoffrey Crowther's neck and/or bilateral knee and/or left elbow and/or left thumb injuries?

YES _____ NO _____

[If you have answered "No" to both Question 3 and Question 4, return your verdict; otherwise proceed to Question 5].

5. Do you find that Geoffrey Crowther was negligent?

YES _____ NO _____

[If you have answered "No" to Question 5, skip to Question 7; otherwise proceed to Question 6].

6. Do you find that Geoffrey Crowther's negligence, in whole or in part, caused and/or contributed to and/or aggravated, worsened and/or exacerbated Geoffrey Crowther's neck and/or bilateral knee and/or left elbow and/or left thumb injuries?

YES _____ NO _____

7. Determine the percentages of Geoffrey Crowther's injuries that were caused and/or contributed to and/or aggravated, worsened and/or exacerbated by the following:

| | |
|---------------------------------|-------|
| CSX's negligence: | _____ |
| Conrail's negligence: | _____ |
| Geoffrey Crowther's negligence: | _____ |
| (Total must equal 100%) | |

8. What is the total amount of compensation you award to Geoffrey Crowther for his damages for lost wages and pain and suffering (before any reduction for comparative negligence, if any)?

\$ _____

Respectfully submitted,

/s/Thomas J. Joyce, III
THOMAS J. JOYCE, III
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801 Centerton Road
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(856) 914-0220
Attorney for Plaintiff

/s/Michael J. McDevitt
MICHAEL J. McDEVITT
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Attorney for Plaintiff

DATED: November 22, 2010

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CERTIFICATE OF SERVICE

I, THOMAS J. JOYCE, III, hereby certify that on November 22, 2010, I electronically filed Plaintiff's Verdict Form with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the following counsel of record for the Defendants:

Heather M. Gamache, Esquire
Flynn & Wirkus
400 Crown Colony Drive, Suite 200
Quincy, MA 02169

/s/Thomas J. Joyce, III
Thomas J. Joyce, III